

**REMARKS**

Applicant has studied the Office Action mailed May 23, 2003 and has made amendments to the claims. It is submitted that the application, as amended, is in condition for allowance. By virtue of this amendment, claims 1-23 are pending. Reconsideration and allowance of the pending claims in view of the above amendments and the following remarks are respectfully requested. In the Office Action, the Examiner:

(1-23) rejected claims 1-23 under 35 U.S.C. § 102(e) as being anticipated by Black et al. (US 6,285,998).

(1-23) Rejection under 35 U.S.C. §102(e)

As noted above, the Examiner rejected claims 1-23 under 35 U.S.C. § 102(e) as being anticipated as being anticipated by Black et al. (US 6,285,998). Independent claims 1, 9, 14, 21, and 22 have been amended to distinguish over Black. The Examiner at page 2 of the office action states "*As per claims 1 and 22 Black discloses a method and computer readable medium of sharing queries in a hub processing unit [...] forwarding the query to a hub processing unit in the event the user selects a query for sharing (col. 4, lines 54-65).*" However, careful reading of Black discloses a query grid display for simplifying search queries to databases, such as financial databases. During the construction of the query grid, the user can save the query for future use by the identical user. In the words of Black at col. 4, lines 54-65 (Emphasis Added):

*"Server computer 202 includes a query parser 207 that receives a query from client computer 201, parses it into its constituent parts, and provides it to query engine 208, which searches database 209 to identify records or objects matching the search criteria.*

*According to one aspect of the invention, browser control 205 generates a query grid display 206 comprising columns of field names, operators, and desired values. The user can enter desired information into the cells of the query grid in order to build a reusable query, and can store the queries in query storage area 203 on client computer 201."*

Black at col. 5, lines 62 through col. 6 line 9 (Emphasis Added):

*In step 304, the user can optionally save the query for future use in query storage area 203 on client computer 201. This storage area could instead be located on another computer such as server computer 202. Moreover, the optional saving step could instead be performed after executing the query without departing from the scope of the invention. According to this aspect of the invention, the user can locally store a plurality of queries on the client computer in order to modify and reuse them at a future date.*

*"A query could be constructed with multiple rows of completely specified field names, operators, and desired values, and one or two rows of partially specified values, thus allowing the user to reuse large parts of a previously used query while modifying only one or two variables each time the query is re-run.*

Black at col. 9, lines 34-43 (Emphasis Added):

*Thus has been described a system and method for providing an easy-to-use query construction and reuse tool that permits a user to defer specifying one or more query parameters until query execution time. After constructing the query but just prior to executing the query, the user is prompted to provide desired values for the one or more deferred values, which may include a value from a constrained list. Many modifications and variations on the invention are of course possible, and the scope of the invention is defined only by the claims appended hereto.*

Conversely, the present invention teaches sharing queries between a first user and a second user by "forwarding the query to a hub processing unit in the event that the first user selects a query for sharing with a second user connected to the hub processing unit." The present invention allows a second user to benefit from the time consuming task of formulating a query from the first user. This type of sharing formulated queries between multiple users is nowhere taught or disclosed by Black.

In contrast Black teaches a single user building easy to articulate queries using "query grids" and "ask me values" which the identical user can use to save search results in a reuse tool. The reuse tool permits the identical user to reuse his/her own queries. In the words of Black at col. 6, lines 1-9 (Emphasis Added):

*In step 304, the user can optionally save the query for future use in query storage area 203 on client computer 201. This storage area could instead be located on another computer such as server computer 202. Moreover, the optional saving step could instead be performed after executing the query without departing from the scope of the invention. According to this aspect of the invention, the user can locally store a plurality of queries on the client computer in order to modify and reuse them at a future date.*

Accordingly, the reuse of queries as taught by Black are not shared across multiple users.

The Examiner cites 35 U.S.C. § 102(e) and a proper rejection requires that a single reference teach (i.e., identically describe) each and every element of the rejected claims as being anticipated by Black.<sup>1</sup> Because the elements in independent claims 1, 9, 14, 21, and 22 of “the first user selects a query for sharing with a second user connected to the hub processing unit.” is not taught or disclosed by Black. The method and apparatus of Black explicitly teaches an individual user saving searches for later use by the identical user. Accordingly, the present invention distinguishes over Black for at least this reason. The Applicant respectfully submitted that the Examiner’s rejection under 35 U.S.C. § 102(e) has been overcome.

Independent claims 1, 9, 14, 21, and 22 have been amended to distinguish over Black. Claims 2-8, 10-13, and 15-21 depend from claims 1, 9 and 14 respectively, since dependent claims contain all the limitations of the independent claims, claims 2-8, 10-13, and 15-21 distinguish over Black, as well.

Lastly, the Examiner rejected claims 12 and 13 under Black on pages 4 and 5 of the Office Action. The Examiner points to Black at col. 7, lines 20-32. For convenience col. 7, lines 20-32 of Black are reproduced below:

As shown in FIG. 5, a web browser displays a web page from server computer 202. The web page includes a query grid including three columns: field name 501; operator 502; and value 503. Cells in the query grid provide an area in which the user can enter data. For example, the user can enter a field name in cell 504, an operator in cell 505, and a

<sup>1</sup> See MPEP §2131 (Emphasis Added) “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). “The identical invention must be shown in as complete detail as is contained in the ... claim.”

desired value in cell 506. A descriptive display area 507 displays information describing a field that has been entered in a currently selected cell. After the query is executed, query results are displayed in a results display region 508 (blank in FIG. 5). A "comparison pane" area 509 permits the user to compare the query results with one or more data items of interest.

The Applicant is hard pressed to understand how a "comparison pane" is at all germane or related to

12. The method as defined in claim 9, further comprising a step of awarding at least one of a reward and points for at least one query submission by a user.

13. The method as defined in claim 12, wherein the awarding step further comprises notifying an accounting manager of the query submission.

Where this award embodiment is explained in the Application as originally filed on page 11 – page 12 and FIG. 3 of the present invention as originally filed. Accordingly, the Applicant respectfully submits that claims 12 and 13 distinguish over Black for at least this reason as well.

### CONCLUSION

The remaining cited references have been reviewed and are not believed to affect the patentability of the claims as amended.

In this Response, Applicant has amended certain claims. In light of the Office Action, Applicant believes these amendments serve a useful clarification purpose, and are desirable for clarification purposes, independent of patentability. Accordingly, Applicant respectfully submits that the claim amendments do not limit the range of any permissible equivalents.

Applicant acknowledges the continuing duty of candor and good faith to disclosure of information known to be material to the examination of this application. In accordance with 37 CFR §1.56, all such information is dutifully made of record. The foreseeable equivalents of any territory surrendered by amendment are limited to the territory taught by the information of record. No other

territory afforded by the doctrine of equivalents is knowingly surrendered and everything else is unforeseeable at the time of this amendment by the Applicant and his attorneys.

Applicant respectfully submits that all of the grounds for rejection stated in the Examiner's Office Action have been overcome, and that all claims in the application are allowable. No new matter has been added. It is believed that the application is now in condition for allowance, which allowance is respectfully requested.

**PLEASE CALL** the undersigned if that would expedite the prosecution of this application.

Respectfully submitted,

Date: August 22, 2003

By: 

Jon Gibbons, Reg. No. 37,333  
Attorney for Applicant  
FLEIT, KAIN, GIBBONS,  
GUTMAN, BONGINI, & BIANCO P.L.  
551 N.W. 77th Street, Suite 111  
Boca Raton, FL 33487  
Tel (561) 989-9811  
Fax (561) 989-9812

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